

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN ASSEMBLY APRIL 5, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

No. 2425

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### Introduced by Assembly Member Brown

February 19, 2016

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An act to add Article 7 (commencing with Section 116090.5) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to public health.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2425, as amended, Brown. ~~Public health: incident site reports.~~  
*health: unintentional injuries.*

Existing law establishes the State Department of Public Health in state government. Existing law vests within the department certain duties and powers to protect and preserve the public health.

This bill would require the State Department of Public Health to ~~collaborate with representatives of various groups and adopt, develop,~~ on or before June 1, 2018, *a state data collection plan and uniform standards and protocols that establish a uniform incident site report requirement* for purposes of collecting statewide information on unintentional injury incidents. ~~The bill would require those standards and protocols to be implemented on a statewide basis by every county, as prescribed. The bill would require the department to periodically reconvene the representatives, when necessary, to modify the standards and protocols.~~ *incidents, as specified. The bill would specify that its provisions not be construed to require data collection beyond that required by existing law.*

~~By imposing additional duties on local entities, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~*no*.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3     (1) Data provided by the State Department of Public Health and  
4 the federal Centers for Disease Control and Prevention shows  
5 unintentional injuries are the leading cause of hospitalization and  
6 death for California's children and youth from one to 19, inclusive,  
7 years of age and the leading cause of injury-related death for babies  
8 and infants under one year of age.

9     (2) Unintentional injury has persistently been the leading cause  
10 of death and hospitalization for California's children and youth  
11 for more than two decades. The State Department of Public Health  
12 and the federal Centers for Disease Control and Prevention show  
13 that from 2003 to 2013, inclusive, unintentional injuries caused  
14 the death of nearly 10,000 California children and youth,  
15 hospitalized another 240,000, and sent more than 4 million others  
16 to the emergency room.

17     (3) The State Department of Public Health and the national  
18 Children's Safety Network report that in 2012, childhood  
19 unintentional injury cost California's health care system over six  
20 hundred seventeen million dollars (\$617,000,000) in medical costs  
21 and more than three billion four hundred million dollars  
22 (\$3,400,000,000) in medical and wage loss costs combined because  
23 of parent and guardian time off work caring for an injured child  
24 or dealing with the death of a child due to unintentional injury.

25     (4) The vast majority of unintentional injuries are predictable  
26 and preventable.

1 (5) The year 2016 is the start of a statewide campaign to make  
2 unintentional injury incidents a rare, and not a common, occurrence  
3 across the state in order to better protect the health and well-being  
4 of all California children and youth.

5 (b) (1) It is the intent of the Legislature that the State  
6 Department of Public Health take the lead role in collaborating  
7 with representatives from other health and safety state and local  
8 agencies, first responders, law enforcement, public health experts,  
9 and childhood injury prevention experts to do all of the following:

10 ~~(A) Establish statewide best practice guidelines, standards, and~~  
11 ~~incident site information collection tools to help collect data and~~  
12 ~~information at the site of an unintentional injury involving a child~~  
13 ~~or youth between zero and 19, inclusive, years of age.~~

14 ~~(B) Aggregate statewide incident site data to better understand~~  
15 ~~the underlying cause of, and details about, unintentional injury~~  
16 ~~incidents.~~

17 (2)  
18 (A) *Identify the top 10 leading causes of unintentional*  
19 *life-threatening injury, whether serious or critical, involving*  
20 *California children and youth between zero and 19 years of age,*  
21 *inclusive.*

22 (B) *Identify the most important sources of data for those causes*  
23 *of unintentional injury identified in subparagraph (A), and develop*  
24 *a plan for tracking that data in the measurement of prevention*  
25 *policies, programs, and strategies to decrease the number and*  
26 *severity of unintentional injury incidents in California, involving*  
27 *children and youth between zero and 19 years of age, inclusive.*

28 (C) *Identify whether the data sources identified in subparagraph*  
29 *(B) are already collected in an existing data system, and, if so,*  
30 *whether that system is a sufficiently efficient means of that*  
31 *collection. If the information identified in subparagraph (B) is not*  
32 *already collected, recommend how best to gather the missing*  
33 *information. If a jurisdiction or entity has developed a method of*  
34 *collecting the information identified in subparagraph (B) that is*  
35 *sufficiently efficient and informative, determine how best to apply*  
36 *and communicate it throughout California in a prudent manner.*

37 (D) *Use the information gathered in subparagraphs (A), (B),*  
38 *and (C) to create a state plan for increasing, in a nonduplicative*  
39 *and cost-efficient manner, an unintentional injury incident*  
40 *reporting information system to accomplish the substantial*

1 *decrease in the number and severity of unintentional injury of*  
2 *California's children and youth between zero and 19 years of age,*  
3 *inclusive.*

4 *(E) Include in the state plan recommendations on how to*  
5 *aggregate and correlate data regionally and statewide to inform*  
6 *our understanding of underlying causes of serious unintentional*  
7 *child injury.*

8 *(2) It is the intent of the Legislature in enacting this act to create*  
9 *a state plan focused on unintentional injury incident site reporting.*  
10 *The purpose of this act is to provide guidance in the development*  
11 *of a statewide plan. It is also the intent of the Legislature in*  
12 *enacting this act to utilize current data collection systems where*  
13 *available and to not disrupt current data collection or service*  
14 *provision relevant to trauma and first responder emergency*  
15 *medical services. The purpose of this act is to develop improved*  
16 *ongoing information to facilitate prevention of unintentional injury*  
17 *causing the serious injury or death of California's children and*  
18 *youth between zero and 19 years of age, inclusive.*

19 *(3) The goal is to provide more incident detail information to*  
20 *help determine the best preventative strategies for eliminating*  
21 *childhood unintentional injuries with an initial focus on vehicle,*  
22 *bicycle, and pedestrian crashes, drowning, burns, poisoning,*  
23 *suffocation, falls, nontraffic vehicle incidents, and sports-related*  
24 *traumatic brain injuries.*

25 SEC. 2. Article 7 (commencing with Section 116090.5) is  
26 added to Chapter 5 of Part 10 of Division 104 of the Health and  
27 Safety Code, to read:

28  
29 Article 7. Incident Site Reports Standards and Protocols  
30

31 ~~116090.5.—(a) (1) On or before June 1, 2018, the State~~  
32 ~~Department of Public Health shall, by regulation, adopt standards~~  
33 ~~and protocols to establish a uniform incident site report requirement~~  
34 ~~for purposes of collecting statewide information on unintentional~~  
35 ~~injury incidents.~~

36 ~~(2) The standards and protocols shall be developed in~~  
37 ~~collaboration with representatives from other health and safety~~  
38 ~~state and local agencies, first responders, fire agencies, law~~  
39 ~~enforcement agencies, public health experts, and childhood injury~~

1 prevention experts in order for the department to understand the  
2 details at incident sites for various types of unintentional injury.

3 ~~(3) The department shall periodically reconvene these~~  
4 ~~representatives, when necessary, to modify the standards and~~  
5 ~~protocols.~~

6 ~~(b) The standards and protocols adopted by the department shall~~  
7 ~~be implemented on a statewide basis by every county in the State~~  
8 ~~of California for use by the appropriate local reporting entities~~  
9 ~~identified in the standards and protocols.~~

10 ~~(c) The standards and protocols shall, at a minimum, include~~  
11 ~~the following:~~

12 ~~(1) A requirement that a reporting entity utilize an incident site~~  
13 ~~reporting best practices form and incident site investigation~~  
14 ~~protocol, specific to each type of unintentional injury, to report~~  
15 ~~information to existing local, regional, and statewide data systems~~  
16 ~~and to the local health department.~~

17 ~~(2) A requirement that the county health department be~~  
18 ~~responsible for submitting the data received pursuant to paragraph~~  
19 ~~(1) to the state's EpiCenter data system, no later than 60 days after~~  
20 ~~receipt of the incident site report.~~

21 ~~(d) For purposes of this section, the following definitions shall~~  
22 ~~have the following meanings:~~

23 ~~(1) "Department" means the State Department of Public Health.~~

24 ~~(2) "Reporting entity" means the reporting entity identified in~~  
25 ~~the standards and protocols developed by the State Department of~~  
26 ~~Public Health.~~

27 ~~(3) "Incident site reports" or "incident" relates to, among others,~~  
28 ~~site reports or incidents that involve unintentional injuries from~~  
29 ~~drownings, near drownings, burns, window falls, bicycle crashes,~~  
30 ~~pedestrian crashes, sleep suffocation, kids left in cars, vehicle~~  
31 ~~backovers, vehicle frontovers, sports-related activities, and~~  
32 ~~poisoning.~~

33 *116090.5. (a) On or before June 1, 2018, the State Department*  
34 *of Public Health shall develop the following:*

35 *(1) A state data collection plan focused on the 10 leading causes*  
36 *of death and hospitalizations due to injuries involving children*  
37 *and youth between zero and 19 years of age, inclusive.*

38 *(A) The plan shall identify the incident site attributes, including*  
39 *environmental factors, situational variables, and special inherent*

1 risks that would better inform California's unintentional injury  
2 prevention policies, programs, and strategies.

3 (B) The plan shall include recommendations for data collection  
4 and evaluation, including additions to the existing data sources,  
5 and continued prudent maintenance of data currently collected.

6 (C) The department shall periodically reconvene practitioners  
7 and experts to update the plan and make modifications to address  
8 evolving dangers, as needed.

9 (2) Uniform standards and protocols for incident site reports  
10 for purposes of collecting data on unintentional injury incidents  
11 involving children and youth between zero and 19 years of age,  
12 inclusive, that result in death or hospitalization.

13 (A) The uniform standards and protocols shall identify  
14 appropriate reporting entities.

15 (B) The uniform standards and protocols shall, at a minimum,  
16 include the following:

17 (i) Incident site reporting best practices form and incident site  
18 investigation protocol, specific to each type of unintentional injury,  
19 to report information to existing local, regional, and statewide  
20 data systems, if that reporting is practical and does not distract  
21 the existing emergency medical services or health care data  
22 collection system from its current function and mission, and to the  
23 local health department.

24 (ii) Recommendations on how best to capture local unintentional  
25 injury incident site report data and information, so the data is  
26 accessible by, and can be incorporated into, existing state data  
27 systems associated with trauma and unintentional injury prevention  
28 programs, and recommendations regarding the timeline for  
29 consolidation of the data into existing related data systems.

30 (b) The statewide plan and uniform standards and protocols  
31 shall be developed in collaboration with representatives from other  
32 health and safety state and local agencies, first responders, fire  
33 agencies, law enforcement agencies, public health experts, and  
34 childhood injury prevention experts in order for the department  
35 to understand the details at incident sites for various types of  
36 unintentional injury involving children and youth between zero  
37 and 19, years of age, inclusive.

38 (c) This section shall not be construed to mandate reporting  
39 entities identified in the uniform standards and protocols to collect  
40 or report data beyond that required by existing law.

1     (d) *For purposes of this section, the following definitions shall*  
2 *have the following meanings:*

3     (1) *“Department” means the State Department of Public Health.*

4     (2) *“Incident site reports” or “incident” relates to, among*  
5 *others, site reports or incidents that involve unintentional injuries*  
6 *from drownings, near drownings, burns, window falls, bicycle*  
7 *crashes, pedestrian crashes, sleep suffocation, children left in cars,*  
8 *vehicle backovers, vehicle frontovers, sports-related activities,*  
9 *and poisoning.*

10    (3) *“Reporting entity” means the reporting entity identified in*  
11 *the standards and protocols developed by the department.*

12    ~~SEC. 3.— If the Commission on State Mandates determines that~~  
13 ~~this act contains costs mandated by the state, reimbursement to~~  
14 ~~local agencies and school districts for those costs shall be made~~  
15 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
16 ~~4 of Title 2 of the Government Code.~~